

Second Regular Session 114th General Assembly (2006)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2005 Regular Session of the General Assembly.

## SENATE ENROLLED ACT No. 236

AN ACT to amend the Indiana Code concerning motor vehicles.

*Be it enacted by the General Assembly of the State of Indiana:*

SECTION 1. IC 9-27-4-4, AS AMENDED BY P.L.1-2005, SECTION 110, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 4. (a) To establish or operate a commercial driver training school, the school must obtain a license from the bureau in the manner and form prescribed by the bureau.

(b) Subject to subsection (c), the bureau shall adopt rules under IC 4-22-2 that state the requirements for obtaining a school license, including the following:

- (1) Location of the school.
- (2) Equipment required.
- (3) Courses of instruction.
- (4) Instructors.
- (5) Previous records of the school and instructors.
- (6) Financial statements.
- (7) Schedule of fees and charges.
- (8) Character and reputation of the operators and instructors.
- (9) Insurance in the amount and with the provisions the bureau considers necessary to adequately protect the interests of the public.
- (10) Other matters the bureau prescribes for the protection of the public.

(c) The rules adopted under subsection (b) must permit a licensed

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school to ~~conduct~~ **provide** classroom training **during which an instructor is present** in a county outside the county where the school is located to the students of:

- (1) a school corporation (as defined in IC 36-1-2-17);
- (2) a nonpublic secondary school that voluntarily becomes accredited under IC 20-19-2-8; ~~or~~
- (3) a nonpublic secondary school recognized under IC 20-19-2-10;
- (4) a state educational institution (as defined in IC 20-12-0.5-1); or**
- (5) a nonaccredited nonpublic school.**

**However, the rules must provide that a licensed school may provide classroom training in an entity listed in subdivisions (1) through (3) only if the governing body of the ~~school corporation or the nonpublic secondary school~~ entity approves the delivery of the training to its students.**

SECTION 2. [EFFECTIVE UPON PASSAGE] (a) **As used in this SECTION, "bureau" refers to the bureau of motor vehicles created by IC 9-14-1-1.**

**(b) As used in this SECTION, "commercial driver training school" has the meaning set forth in IC 9-27-4-2.**

**(c) The bureau shall adopt rules under IC 4-22-2 to allow a licensed commercial driver training school to provide classroom training in a county other than the county in which the commercial driver training school is located to the students of:**

- (1) a school corporation (as defined in IC 36-1-2-17);**
- (2) a nonpublic secondary school that voluntarily becomes accredited under IC 20-19-2-8;**
- (3) a nonpublic secondary school recognized under IC 20-19-2-10;**
- (4) a state educational institution (as defined in IC 20-12-0.5-1); or**
- (5) a nonaccredited nonpublic school.**

**However, the rules must provide that a licensed school may provide classroom training in an entity listed in subdivisions (1) through (3) only if the governing body of the entity approves the delivery of the training to its students.**

**(d) Notwithstanding subsection (c), the bureau shall allow a licensed commercial driver training school to provide classroom training in a county other than the county in which the commercial driver training school is located as provided in:**

- (1) IC 9-27-4-4(c), as amended by this act; and**

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**(2) subsection (b) of this SECTION;  
under interim written guidelines approved by the commissioner of  
the bureau.**

**(e) The interim written guidelines approved and used under  
subsection (b) of this SECTION expire on the earlier of the  
following:**

**(1) The date rules are adopted under IC 9-27-4-4(b).**

**(2) December 31, 2008.**

**SECTION 3. An emergency is declared for this act.**

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President of the Senate

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President Pro Tempore

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Speaker of the House of Representatives

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Governor of the State of Indiana

Date: \_\_\_\_\_ Time: \_\_\_\_\_

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